

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

FILED

AUG 05 2008

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

LING HUANG,

Petitioner,

v.

MICHAEL B. MUKASEY, Attorney
General,

Respondent.

No. 04-70682

Agency No. A75-740-304

MEMORANDUM^{*}

On Petition for Review of an Order of the
Board of Immigration Appeals

Submitted July 22, 2008^{**}

Before: B. FLETCHER, THOMAS, and WARDLAW, Circuit Judges.

Ling Huang, a native of China and citizen of Indonesia, petitions for review of the Board of Immigration Appeals' order summarily affirming an immigration judge's order denying her applications for asylum and withholding of removal.

^{*} This disposition is not appropriate for publication and is not precedent except as provided by 9th Cir. R. 36-3.

^{**} The panel unanimously finds this case suitable for decision without oral argument. *See* Fed. R. App. P. 34(a)(2).

We have jurisdiction under 8 U.S.C. § 1252. We grant the petition for review and remand for further proceedings.

The agency's decisions in this case preceded *Sael v. Ashcroft*, 386 F.3d 922 (9th Cir. 2004), in which we held that "Sael's evidence compels the conclusion that Indonesia's ethnic Chinese minority is at least a 'disfavored group.'" *Id.* at 927.

We remand for the agency to reconsider Huang's claims in light of *Sael*. *See generally INS v. Ventura*, 537 U.S. 12 (2002) (per curiam).

PETITION FOR REVIEW GRANTED; REMANDED.